

THE ALLIURIS GROUP

ALLIANCE OF INTERNATIONAL BUSINESS LAWYERS

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- Volks Hedleys, London, England/UK
- Yamaner & Yamaner, Istanbul, Turkey

The ALLIURIS GROUP is organised as an international association under Belgian Law with its seat in Brussels.

www.alliuris.org, info@alliuris.org

Summer School 2011 in Lisbon

The annual Alliuris Summer School is the highlight for many junior lawyers in member firms.

The 2011 summer school took place from 28 June to 2 July in Lisbon and was organised by our Portuguese partner law firm, ATPR Sociedade de Advogados. Fourteen (14) training participants from eleven (11) European countries attended the three-day legal seminar covering EU law, professional ethics, legal English skills and consumer credit regulations.

The participants had many opportunities to exchange knowledge and share experiences from their own local practices through the seminars as well as through a variety of free time activities. In addition, the participants visited the office of the host firm and had the opportunity to meet many of the Portuguese colleagues.

The excellent organisation of ATPR Sociedade de Advogados guaranteed the success of this year's Alliuris Summer School. It was an unforgettable experience for all of the participants. The 4 days of intensive interaction have promoted the friendship between young lawyers within the Alliuris Group. Many remain in contact on Facebook and look forward to meeting each other again.

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ATPR Sociedade de Advogados as Hosting Firm

The firm consists of the 2 founding partners: José de Athayde de Tavares and Joao Pedro Pereira da Rosa whose offices are situated in the centre of Lisbon. Athayde De Tavares & Pereira Da Rosa – Sociedade De Advogados is an incorporated law firm that registered with the Portuguese Bar Association in 2001 and was founded by partners that had been practicing law since the late seventies in different law offices in Lisbon. The firm is founded on the expertise and experience of its founding and current senior partners and the new associates and members that have since joined the team.

ATPR is a well-known firm and provides a wide range of legal services. It actively seeks to provide a high standard of quality service based on personal attention. The firm has vast experience in the rendering of professional services covering the widest range of legal matters with a special emphasis on business, commercial and company law. The firm also has a special department for Debt Collection.

Mergers and Acquisitions concerning EU Competition Law

The first conference was conducted by Dr. Miguel Mendes Pereira, Professor at the University of Lisbon Law School and an expert in EU Competition Law.

He started his seminar with a case concerning the cross border merger in the EU. The legal basis of the case is EU law. The participants were divided into four groups and played the roles of a UK electronics group registered in London, an Italian Company, a Polish company and Belgian government. Each group had 30 minutes for an intra-group meeting to decide about strategy and legal arguments, and then held a 15 minute meeting with the European Commission (The role of the European Commission was played by Dr. Miguel Mendes Pereira and another two Portuguese colleagues.). In

the meeting, the position of each group was presented by the spokesperson. The Commission also expressed its own position and asked pertinent questions. During the coffee-break the members of the groups negotiated with the other groups. At the end of the conference, a joint-session with all the groups took place and each group had the last opportunity to present their position and make their case for the merger. Thereafter, the European Commission ruled on the merger and gave reasons for its decision.

The purpose of the conference was to illustrate the different, even conflicting interests underlying a cross border merger in the EU and to understand the role lawyers may play when advising their clients. It was necessary for the participants to react spontaneously and immediately in order to protect the interests of their "client". The participants also learned about techniques and strategies involved in the negotiation and discussion.

Round table – Lawyer's Professional Ethics

The roundtable discussion was held in the afternoon of the first day of the Alliuris Summer School and focused on professional ethics among the lawyers in different countries. Mr. João Pereira da Rosa opened discussions with a brief introduction to this topic and gave the young lawyers the following 8 questions:



- A client proposes to pay attorney's fees depending on the success of the claim. Is it acceptable?
- Can a former client sue a lawyer in case he fails to win a case?
- Can the police look for evidences (filed documents) in a law office because of a supposed crime perpetrated by a client?
- Can a lawyer disclose the facts concerning the case that only he acknowledges?
- In which circumstances are the communications

between Attorney and client protected by the legal professional privilege (confidentiality)?

- Can a lawyer act as a mediator between his multiple clients?
- Can a lawyer put an advertisement in the paper in order to increase his clients list?
- Are the law firms liable in case of misconduct of subordinate lawyers?

The participants exchanged their opinions based on different legal and political backgrounds in their own country. It was important for the young lawyers within the Alliuris Group to notice the difference in professional ethics, in particular, under the background of the growth of multi-national law firms and multi-disciplinary practices. Finally a question remains unanswered, if it is possible for a globalization of professional ethics.

At end of the roundtable discussion, the participants were given the relevant case law of the Court of Justice of the European Union for their further study. The court has ruled that communications between corporations and their in-house counsel are not protected by the legal professional privilege.

Legal English Skills

On the second day of the Alliuris Summer School, the young lawyers took part in the Legal English course taught by Ms. Genevieve Grace, teacher at the British Council in Lisbon. The participants concentrated on learning vocabularies and phrases related to formation of companies in the UK, changes in company structure, spin-outs and so on. In addition, Ms. Grace provided an introduction to expressions which can be used in presentations and negotiations.

The course ended with a negotiation role play, which took place later in the afternoon. The participants had the opportunity to put what they had learned in the course into practice in a negotiation exercise. They were required to negotiate a franchise agreement in order to open a restaurant in central London. Ms. Grace had prepared basic information relating to both of the companies as well as competition in the restaurant business in London. The participants played the roles of the contracting parties and tried to obtain the best possible enforceable outcome for their own client.



Consumer Credit Regulations

In the last conference Mr. Tiago Oom, Director at UNIC-RE - Cartão Internacional De Crédito S. A, presented a detailed overview on consumer credit regulations. The following major changes to the consumer credit agreements were mentioned:

- Check consumer's solvency before contract conclusion;
- Inform the consumer in case of refusal based on external risk information;
- New rules for consumer payment failure;
- Consumer protection in case of Linked Credit Agreement;
- Definition of Credit Intermediaries and responsibilities;
- Limitation of fees charged in early repayment;
- Standardization of the method for calculating the costs associated with credit and definition of a maximum limit for these costs;
- Standardization of Pre-Agreement Information and Information on Advertising Support;
- More information on Credit Contracts.

However, Mr. Tiago Oom also explained the difficulties of applying the law, particularly for the companies as the contracting parties. At the conclusion of the presentations, the participants gained a clear insight into consumer credit rules.

The City of Lisbon

Lisbon is the capital and largest city of Portugal, at the same time a very colourful city with rich cultural life. Our wonderful hosting firm offered the young lawyers a wealth of activities from sightseeing in the old city centre of Lisbon and culinary experience in the wonderful restaurants to the night life with a wide range of bars and pubs.

The amazing Go Car Trip is the one of the most unusual and fun ways to see the city. During the drive, we explored all the most interesting viewpoints, museums and churches of Lisbon. Some of the participants, who departed the city on Saturday or Sunday, were additionally invited by the hosts to the boat trip to Cascais.

Reflections

"I would like to thank our hosts the ATPR law firm for the perfect organization of the Alliuris Summer School 2011. For me it was a great challenge, a learning experience and a chance to meet friends from all over the world.

My impressions of the first conference (Mergers and Acquisitions concerning EU Competition Law) are more than positive. I was definitely impressed by the lecturer Dr. Miguel Mendes Pereira, who managed to keep our focus all the time. In my opinion, the case-solving format of the conference was also very successful. The division of the applicants into four groups made a competitive atmosphere and an opportunity of self expression. Finally at the joint session, we all had the incredible opportunity to discuss our legal arguments, developed on the basis of EU law together with the Summer School Committee.

The round table gave us the occasion to get acquainted with the different approaches, applicable in the most European countries. Although almost all of us belong to the continental legal system, there are, however, some differences.

The third and the fourth conference (Legal English Skills) were based on formal and informal presentation und on legal negotiations, which would be very helpful in our everyday work as legal advisors. I appreciate the interactive approach of the conference as well.

The last conference gave us a detailed overview on the applicable laws on consumer credit regulations. The practice oriented point of view, presented by Mr. Oom, Director at UNICRE – Instituição, Financeira de Crédito, was of benefit."

*Nikolay Ivanov
Tascheva & Partner, Sofia/ Bulgaria*

"In general, I find that the summer school was perfect. It was very nice to meet other young lawyers from different European countries. The program was very nice both the educational part and the leisure time. Applause for the Portuguese organisation!"

*Janneke Pellikaan
Marree e Dijkhoorn, Amersfoort/ Netherlands*



As the host office, I can say that it was a great experience. The group of attendants was exceptional and very interested both in the learning activities and the fun programme. Everyone got to know each other and it was great to meet all of them.

If I had to mention any specific thing, I would say that for sure that the Go Car tour will be remembered by everyone!

What a great opportunity to know other colleagues and change experiences!! "

*Maria de Athayde Tavares
ATPR Sociedade de Advogados, Lisbon/ Portugal*

CALENDAR

| | |
|-----------------|------------------------------|
| Bord Meeting | Copenhagen, Oct 01, 2011 |
| Board Meeting | London, Mar 03, 2012 |
| General Meeting | Berlin, Jun 04, 2012 |
| Summer School | Vienna, Jun 27 – Jul 1, 2012 |
| Board Meeting | Brussels, Oct 03, 2012 |

Members, guests and spouses are invited to attend the meetings. Details will be forwarded and also published in www.alliuris.org.

HUMOUR

Question: „What's the definition of a lawyer?“
Answer: „A mouth with a life support system“.

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